

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SUSQUEHANNA COMMERCIAL FINANCE, INC.</b>	:	<b>No. 1:09-CV-2012</b>
	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>(Judge Conner)</b>
	:	
<b>VASCULAR RESOURCES, INC.,</b>	:	<b>(Magistrate Judge Carlson)</b>
	:	
<b>Defendant.</b>	:	

**MEMORANDUM AND ORDER**

The background of this order is as follows:

This action was removed by the Defendant from the Court of Common Pleas of York County on October 16, 2009. (Doc. 1.) April 30, 2010, the Plaintiff filed a motion for leave to amend the Plaintiff's complaint to add various causes of action, and to name additional Defendants. (Doc. 69.)

While we note that the Defendants have not concurred in this motion, it appears that the standards governing such motions strongly favor amendment of pleadings, like those proposed by the Plaintiff here. Such motions are governed by Rule 15(a) of the Federal Rules of Civil Procedure, which expressly favors liberal amendment of pleadings and provides that the court should freely give leave to amend when justice so requires. Moreover, Rule 15(d) allows for amendment of pleadings in instances such as this, where evidence reveals an aspect to the transactions making

up the lawsuit which should, in fairness, be addressed through the litigation but which requires amendment of the complaint. Specifically the proposed amended complaint recites that funds allegedly solicited from the Plaintiff for one specific purpose were in fact used by the Defendants for an entirely different purpose, allegations which would be relevant to a number of causes of action outlined in the amended complaint.

Accordingly, for the foregoing reasons, IT IS ORDERED that the Defendants shall show cause why this motion should not be granted no later than **May 14, 2010**, or notify the Court by May 14 that they do not object to the amendment of the complaint.

SO ORDERED, this 10th day of May, 2010.

**S/Martin C. Carlson**  
**United States Magistrate Judge**